

13 4023

Claim No.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Robert C. Harris,
(name of claimant)
of Box 332, Grace, Idaho
(mailing address), claims a right to the diversion and beneficial use of
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Harris Spring
tributary to N. Fork Trout Cr., tributary to
Bear River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>1.4</u>	Use <u>Irrigation</u>	Period of Use: From <u>Apr. 1</u> To <u>Nov. 1</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: 1.4 cubic feet per second, or _____ acre feet
per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) During the irrigation season of 1933.

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ SE ¼, Sec. 8 Twp. 11S Rge. 41E B.M. County of Caribou
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Pipeline and sprinkler system.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

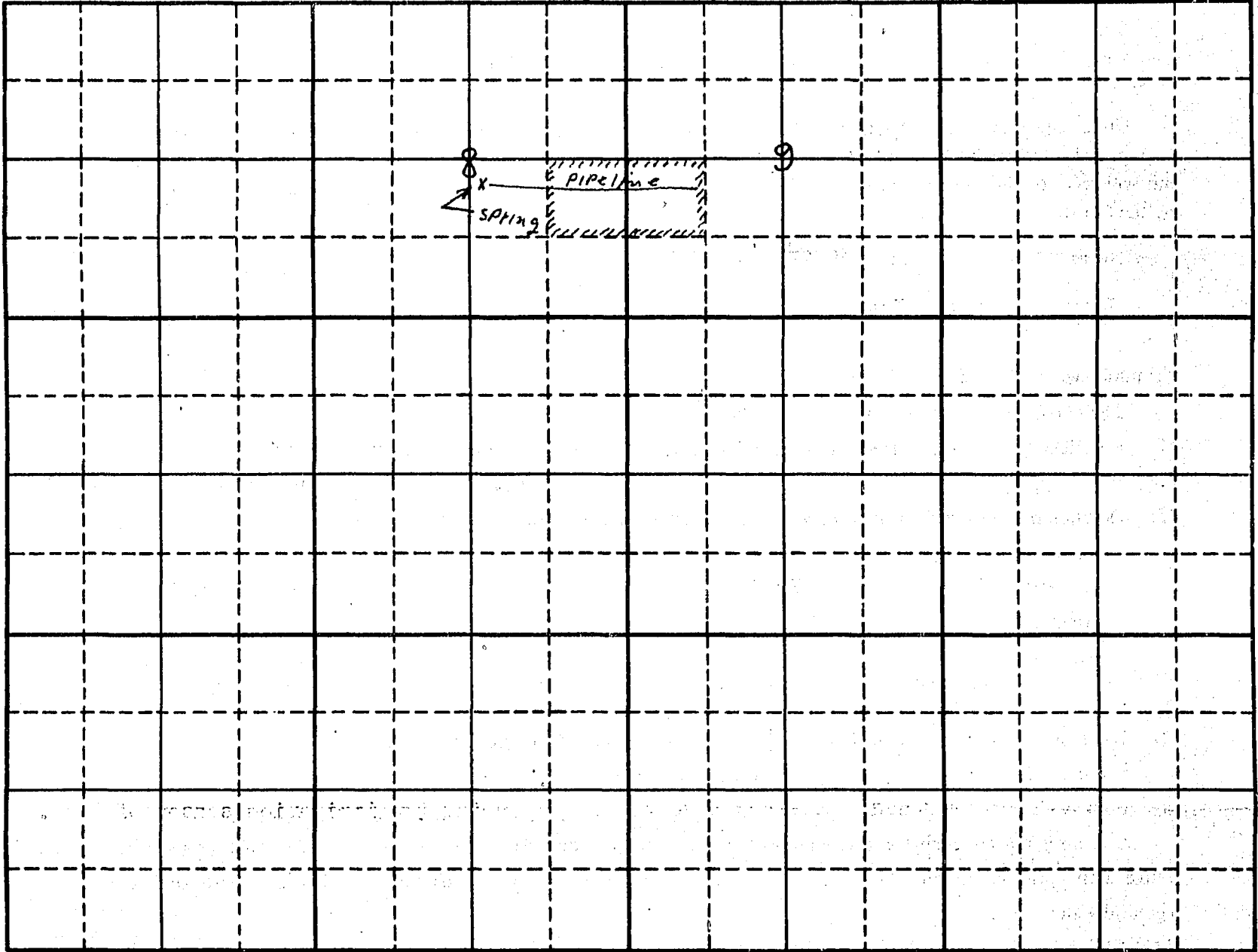
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	41E	9										40							40
		8												30					30

Total No. of acres 70

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

800-81
(8) Remarks An affidavit of Guy Harris is attached hereto in support hereof.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Caribou)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Robert C. Harris
(Claimant)

Sworn to before me this 22nd day of January 19 75.

Leonard O. Hingsford
Notary Public

Residing at Soda Springs, Idaho.

My commission expires August 14, 1977.

For Department Use Only

Received by <u>Cal</u>	Date <u>1-24-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>MR</u>	Date <u>1-24-75</u>		claimant by:	
\$10.00 fee received by <u>Cal</u>	Date <u>1-24-75</u>			
Approved for publication by <u>Cal</u>	Date <u>2-16-75 #2450</u>			
Published in <u>Caribou County Record</u>				
Dates <u>1/30 + 2/6/75</u>				

AFFIDAVIT

STATE OF IDAHO)
 : ss.
County of Caribou

Guy Harris being duly sworn deposes and says:

That your affiant was formerly the owner of the following described premises located in Caribou County, Idaho, to wit:-

Township 11 South, Range 41 East of the Boise Meridian:

Section 8: NE $\frac{1}{4}$ SE $\frac{1}{4}$.
Section 9: NW $\frac{1}{4}$ SW $\frac{1}{4}$.

That your affiant irrigated approximately 70 acres of land located in said premises from the waters of Harris Spring tributary to the North Fork of Trout Creek beginning with the irrigation season of 1933.

That during the years of 1952 and 1953, said waters were put into a pipeline and have been used for irrigation through a sprinkling system since that time.

That said premises are now owned by Robert C. Harris, claimant to a water right under a claim dated January 22, 1975.

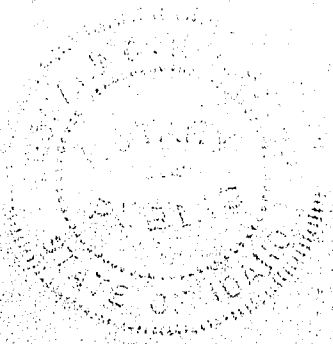
That this affidavit is made in support of said claim for the reason that affiant has been acquainted with the use of said water for a longer period of time than the said Robert C. Harris, claimant.

Further affiant sayeth not.

Guy Harris
GUY HARRIS

Subscribed and sworn to before me this 22nd day of January, 1975.

Leonard O. Kingsford
NOTARY PUBLIC for the State of Idaho.
Residing at Soda Springs, Idaho.
My commission expires August 14, 1977.



RECEIVED

FEB 10 1975

Department of Water Resources
Eastern District Office

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninter-
ruptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

30th day of

January, 1975

The date of the last publication

being the 6th day of

February, 1975

Subscribed and sworn to be

fore me this 6th day

of February 1975

Wella Brittnicker
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

20th day of December
1978

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 13-4023**

Notice is hereby given that
Robert C. Harris, Box 332, Grace,
Idaho has filed a claim to a
water right established by diver-
sion and application to benefi-
cial use of 1.4 cubic feet per sec-
ond of water from Harris Spring
tributary to North Fork Trout
Creek tributary to Bear River
with point of diversion in the
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 11S, R. 41
E, B.M., Caribou County.

The water is claimed to be
used from Apr. 1 to Nov. 1 for
the irrigation of 70 acres with a
priority of 1933 the place of use
is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 11S, R. 41
E, B.M.

Any exception to this claim of
water right may be filed with
the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Caribou
County Sun, Soda Springs, Ida-
ho on January 20 and February
6, 1975.

January 24, 1975

RE: Claim to a Water Right No. 13-4023

Mr. Robert C. Harris
Box 332
Grace, Idaho 83241

Dear Mr. Harris:

Attached herewith is departmental receipt No. 4050 in the amount of \$10.00
for your claim to a water right.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

RDC:CW

Attachment

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4023

Notice is hereby given that Robert C. Harris,

Box 332, Grace, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 1.4 cubic feet per second ~~xxxxxx feet xxxxxxxx~~

of water from Harris Spring tributary to North Fork Trout Creek tributary to
Bear River
with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 11S, R. 41E, B.M.,

Caribou County

The water is claimed to be used from Apr. 1 to Nov. 1 for the
irrigation of 70 acres

with a priority of 1933 ;

the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 11S,
R. 41E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on January 30 and February 6, 1975.

LH-L
MB-D
CW-A

PUBLIC NOTICE

**First Time
Published**

NOTICE OF CLAIM TO A WATER RIGHT NO. 13-4023

Notice is hereby given that Robert C. Harris, Box 332, Grace, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.4 cubic feet per second of water from Harris Spring tributary to North Fork Trout Creek tributary to Bear River with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 11S, R. 41 E, B.M., Caribou County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 70 acres with a priority of 1933 the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 11S, R. 41 E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Caribou County Sun, Soda Springs, Idaho on January 30 and February 6, 1975.

January 24, 1975

RE: Claim to a Water Right No. 13-4023 - Harris

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

RDC:cw

Bill submitted 2-10-75 by MB

Enc: Legal Notice (1)

February 18, 1975

RE: Claim to a Water Right No. 13-4023

Mr. Robert C. Harris
Box 332
Grace, Idaho 83241

Dear Mr. Harris:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

RDC:MB

Enc: Copy of claim

